

Docket No. 35859.1

DECLARATION FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled ATHLETIC ENDURANCE INCREASING AGENT IN FOOD the specification of which is attached hereto unless the following box is checked:

☐ was filed on _____ as United States Application Serial Number _____ or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 11 9(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)Priority Claimed

Yes No

PCT/IP98/00533
(Number)JAPAN
(Country) (PCT)09 February 1998
(Day/Month/Year Filed)

x

☐9/028,914
(Number)JAPAN
(Country) (PCT)13 February 1997
(Day/Month/Year Filed)

x

☐

(Number)

(Country) (PCT)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. § 11 9(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, 1 acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

511/89606.01

072899/1629/35859.00001

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Albert L. Jacobs, Jr.	Reg. N .	22,211	Joseph M. Manak	33,013
Jesse D. Reingold	Reg. No.	20,461	Adam B. Landa	35,236
Gerard F. Diebner	Reg. No.	31,345	Joseph R. Keating	37,368
Israel Nissenbaum	Reg. No.	27,582	Philip M Weiss	34,751
Vineet Kohli	Reg. No.	37,003	Eugene C. Rzucidlo	31,900

Address all correspondence to:

Intellectual Property Group
Graham & James LLP
885 Third Avenue
New York, New York 10022
(212) 848-1000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) Tohru FUSHIKI

Inventor's signature Tohru Fushiki

Date

Aug 6, 1999

Residence JAPAN

Citizenship JAPAN

Post Office Address 20-24, Sakamoto 1-chome, Otsu-shi, SHIGA 520-0113 JAPAN JPX

Full name of second joint inventor, if any (given name, family name) Kengo ISHIHARA

Inventor's signature Kengo Ishihara

Date

Aug. 6, 1999

Residence JAPAN

Citizenship JAPAN

Post Office Address 2-46, Sakamoto 3-chome, Otsu-shi, SHIGA 520-0113 JAPAN JPX

Full name of third joint inventor, if any (given name, family name) Takahiko ANNO

Inventor's signature Takahiko Anno

Date

Aug. 2, 1999

Residence JAPAN

Citizenship JAPAN

Post Office Address 35-4, Hiyoshidai 2-chome, Otsu-shi, SHIGA 520-0112 JAPAN JPX

Full name of fourth joint inventor, if any (given name, family name) Hironori TOMI

Inventor's signature Hironori Tomi

Date

Aug. 2, 1999

Residence JAPAN

Citizenship JAPAN

Post Office Address 8-3, Ichiriyama 4-chome, Otsu-shi, SHIGA 520-2153 JAPAN JPX